

The service of the within Brief in Opposition
to Petition for Certiorari is hereby acknowledged
this _____ day of April, A. D. 1938.

Counsel for Petitioner.

OCT 14 1938

CHARLES ELMORE CROPLEY
CLERK

IN THE
SUPREME COURT
OF THE
UNITED STATES.

October Term, 1938.

No. 21.

WILLIAM H. NEBLETT, *et al.*,*Petitioners,*

vs.

SAMUEL L. CARPENTER, JR., Insurance Commissioner of
the State of California, *et al.*,*Respondents.*

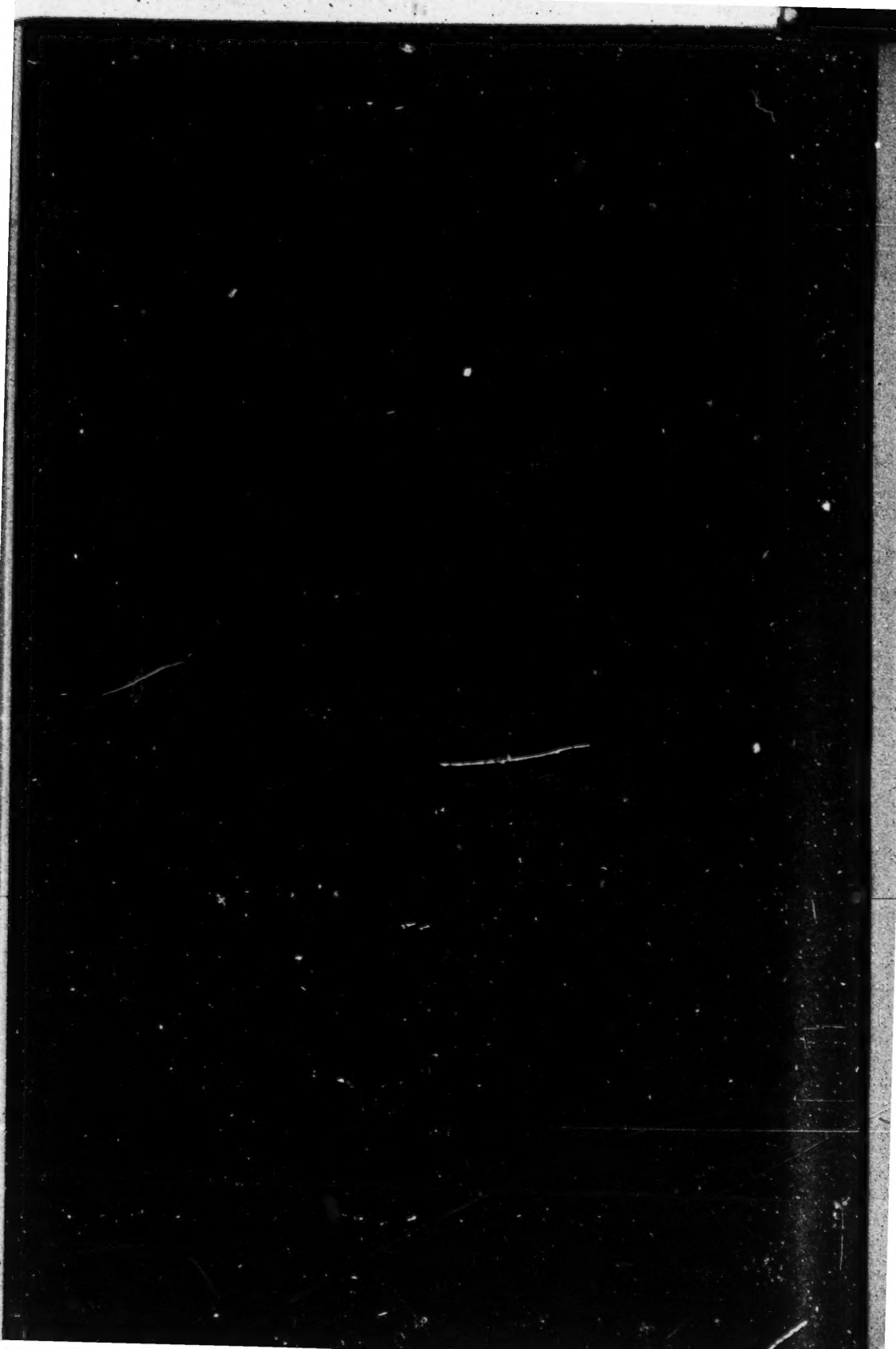
Supplement Correcting Record References in Brief of
Respondents Carroll C. Day, Harry C. Fabling,
Joseph M. Gantz, Jack Paschall and Ralph J.
Wetzel.

T. B. COSGROVE,

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J. Wetzel.*



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The respondents above named, early in September, filed a Suggestion of a Diminution of Record and Motion for Certiorari, noticing the same for hearing at the earliest opportunity, to-wit, Monday, October 3, 1938.

The hearing of the cause itself was set for Monday, October 17, 1938, and under the rules the brief of said respondents was required to be served and filed with the clerk of the above entitled court on or before Monday, October 10, 1938. The brief was printed and served in Los Angeles on Saturday, October 8th, and filed with the

clerk of the court at Washington on October 10, 1938. As stated in footnote 8 at page 25 of the brief, the motion for diminution was still pending and undetermined at the time the brief was printed, served and filed. Accordingly, said brief contains references to the supplement referred to in the suggested diminution.

Now that said motion has been denied, the following language appearing in the brief of said respondents finds no support in the record:

Pages 25 and 26. The first full paragraph on page 25 running over onto page 26.

Page 32. The concluding clause in the last sentence just preceding the first full paragraph numbered 3, reading as follows: "and such conveyance was actually made".

Page 34, line 7. The words "and the fact is".

Page 56. The sentence in the first full paragraph reading: "In fact, the Commissioner subsequent to the order of December 4, 1936, and prior to January 7, 1937, did execute a new conveyance to the New Company [Supp. R. fol. 101]."

Page 71. The first full paragraph, beginning "as a matter of fact".

Respectfully submitted,

T. B. COSGROVE,

JOHN N. CRAMER,

Counsel for Respondents Carroll C. Day, Harry C. Fabling, Joseph M. Gantz, Jack Paschall and Ralph J. Wetzel.

